



## **ACTS AFFECTING VOLUNTEER FIREFIGHTERS AND DEPARTMENTS (1993-2014)**



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## **NOTICE TO READERS**

This report provides brief highlights of acts affecting volunteer firefighters and departments enacted since 1993. Each entry shows the public act (PA) number. (The report does not include vetoed public acts.)

Not all provisions of the acts are included here. Complete summaries of the acts are in the yearly Public Act Summary books and some are on OLR's website ([www.cga.ct.gov/olr/OLRPASums.asp](http://www.cga.ct.gov/olr/OLRPASums.asp)).

All acts summarized took effect October 1 of the year in which they were enacted, unless otherwise noted.

The full texts of all of the acts are available from the Connecticut State Library, House Clerk's Office, or General Assembly's website ([www.cga.ct.gov/](http://www.cga.ct.gov/)).

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## **1993 ACTS**

### ***Tuition Waivers***

[PA 93-293](#) required the constituent units of higher education to provide tuition waivers for the dependent children of firefighters killed in the line of duty (effective July 1, 1993).

## **1994 ACTS**

### ***Overweight Vehicle Permits***

[PA 94-188](#) exempted fire departments from Department of Transportation (DOT) overweight vehicle permits fees.

## **1995 ACTS**

### ***Workers' Compensation Coverage for Municipal Volunteers***

[PA 95-243](#) increased workers' compensation benefit rates for volunteer firefighters who earn more than the state average production wage in their paid employment. Previously, all benefits for volunteer firefighters were based on the average production wage. But the possible higher benefit applies only to injuries sustained in certain situations, and to cases where the firefighter cannot perform his or her regular paid job duties.

The act shifted responsibility, from towns to the state, for compensating any firefighter, paid or volunteer, injured while on fire duty under the direction of state forest fire personnel.

It allowed state employees who are active volunteer firefighters to take paid time off to attend training sessions or drills during regular work hours, if their appointing authority approves. It specified that the time off cannot be charged against the employee's sick leave or compensatory time but it does not prohibit charging it against vacation time.

### ***Volunteer Registration Plates***

[PA 95-260](#) allowed the motor vehicles commissioner to transfer certain special registrations (plates), including those issued for volunteer firefighters, from a vehicle owned by the registrant to one that he will be leasing for at least one year.

### ***Firefighter Training***

[PA 95-318](#) created a 17-member firefighting training task force to (1) study firefighter training, (2) recommend standardized training and study the cost of implementing such training, and (3) recommend funding sources (effective upon passage).

## **1996 ACTS**

### ***Freedom of Information Act (FOIA) Exemptions***

[PA 96-83](#) eliminated the FOIA exemption for volunteer fire department operational meetings, exempting only fraternal or social matter records and meetings of volunteer fire departments that are nonprofit corporations or

established by municipal charter. It subjected their public safety, public fund expenditure, and other public business records and meetings to disclosure (effective upon passage).

### ***Payment for Fire Service Calls on Expressways***

[PA 96-245](#) established a task force to study payments to volunteer fire companies for responding to fire calls on expressways (effective upon passage).

## **1997 ACTS**

### ***Firefighters' Week***

[PA 97-146](#) required the governor to proclaim the first week in August each year as Fire Fighter and Emergency Medical Services Personnel Week (effective upon passage).

### ***Bomb Incidents and Combustible Substances***

[PA 97-162](#) eliminated a requirement that police and fire chiefs report monthly on bomb incidents to the State Police. The requirement applied to bomb threats, bombs or incendiary devices that had been recovered or detonated, and any fires or explosions where bombs or incendiary devices were used or suspected to have been used. The act also eliminated the requirement that owners or operators and police and fire officers immediately report to the State Police leaks or discharges of certain combustible

substances from a storage facility or any motor vehicle used to transport the substances.

### ***Disclosure of Residential Addresses of Firefighters***

[PA 97-219](#) added firefighters to the list of federal, state, and local hazardous employees whose home addresses may not be disclosed under the FOIA by state departments, boards, councils, and commissions, provided they submit a written request for nondisclosure and give their business address to the disclosing agency's executive head.

### ***Tax Exemptions***

[PA 97-316](#) exempted from the sales tax, services rendered by all off-duty police officers and fire fighters rather than just those provided by off-duty police officers at construction sites (effective upon passage).

### ***Workers' Compensation Coverage***

[PA 97-8](#), **June 18 Special Session**, expanded the duties covered by workers' compensation for members of volunteer fire departments to include fire drills or training exercises (effective July 1, 1997).

## **1998 ACTS**

### ***Lemon Law and Municipal Liability for Volunteer Ambulance Services***

[PA 98-108](#) established a Lemon Law for new emergency vehicles owned by a municipality, fire district, or volunteer ambulance company.

### ***Notification of Environmental Hazards***

[PA 98-134](#) required property owners to verbally notify the environmental commissioner and local fire department immediately after a technical environmental professional notifies them that pollution on or emanating from their property is causing or has caused polluted vapors from polluted soil, ground water, or free product and the vapors are migrating into structures or utility conduits and pose an explosion hazard.

### ***Workers' Compensation***

The workers' compensation law requires employers to pay for reasonable and necessary medical treatment of a work-related injury. [PA 98-160](#) specified that such treatment includes diagnostic and preventive procedures for blood-borne diseases, such as HIV, tuberculosis, and hepatitis, for certain employees, including firefighters and active members of a volunteer fire company or department engaged in volunteer duties who are exposed to blood or bodily fluids in the line of duty.

## ***Firefighter Training***

[PA 98-226](#) allowed the Commission on Fire Prevention and Control to adopt regulations for fire service training and education. The commission is primarily responsible for establishing fire training and education standards and programs and providing training for fire services personnel.

### ***Benefits for Injured Firefighters***

[PA 98-263](#) made police officers and firefighters who are injured or contract any disease in the line of duty eligible for benefits specified in the Connecticut State Firefighters Association's bylaws. The benefits are paid from a state appropriation (effective July 1, 1998 and applicable to deaths occurring on or after January 1, 1998).

## **1999 ACTS**

### ***Fireworks Displays***

[PA 99-24](#) required both fire and police chiefs, or first selectmen, where there is no fire or police chief, to inspect fireworks display sites to determine if they are safe.

### ***Warranties on New Emergency Vehicles***

[PA 99-76](#) made three minor changes to the Lemon Law for new emergency vehicles. First, it specified that a vehicle purchased or leased on or after October 1, 1999, is deemed purchased or leased when a state agency, political subdivision, or fire district has accepted and paid for it.



Second, it specified that a vehicle is deemed leased when it is accepted and the first payment is made. Third, it required that reports that a vehicle does not conform to its express warranties be made in writing.

### ***Assault of Public Safety Emergency Medical Personnel***

[PA 99-204](#) made it a class C felony to throw bodily fluid such as urine, feces, blood, or saliva at a reasonably identified public safety or emergency medical services official or employee. The behavior constitutes assault if it is done to officials or employees performing their duties in order to keep them from doing so.

### ***Property Tax Exemptions and Abatements***

[PA 99-272](#) allowed towns, by ordinance, to give a property tax abatement of up to \$1,000 per year to resident volunteer firefighters (effective upon passage).

## **2000 ACTS**

### ***Property Tax Relief***

[PA 00-120](#) allowed municipalities to provide property tax exemptions to volunteer emergency service personnel as an alternative to tax abatements (effective upon passage and applicable to assessment years starting October 1, 1999).

### ***Inspection of Fire Department Apparatus***

[PA 00-202](#) required the Department of Motor Vehicles to establish an annual safety inspection program for fire department apparatus.

### ***Property Tax Abatement for Surviving Spouses of Firefighters***

[PA 00-215](#) allowed a municipality, by ordinance, to establish a property tax abatement program for surviving spouses of firefighters killed in the line of duty. The program may abate all or part of property taxes due on an eligible spouse's principal residence (effective upon passage).

## **2001 ACTS**

### ***Retirement Funds***

[PA 01-80](#) raised by 20% the monthly benefits from the Policemen and Firemen Survivors' Benefit Fund. The fund pays benefits to the surviving spouses and eligible dependents of municipal police officers and firefighters.

### ***Payment for Fighting Forest Fires***

[PA 01-150](#) allowed the state warden to pay fire companies, rather than firefighters individually, for helping to fight forest fires and authorized him to establish rates for such services and equipment and supplies used.

### ***Use of Flashing Lights on Route to Fire Scene***

[PA 01-192](#) allowed any vehicle operated by a member of a volunteer fire department or company to use flashing white headlamps on the way to a medical emergency or fire scene. It increased, from \$50 to \$200, the maximum fine for willfully or negligently obstructing or impeding an emergency vehicle responding to an emergency. It also expressly required emergency vehicles to stop at least 10 feet from a school bus displaying flashing red signal lights and to remain there until the lights are turned off.

### ***Use of Defibrillators***

[PA 01-4](#), **June Special Session**, specified that paid or volunteer firefighters who have been trained to use an automatic external defibrillator in accordance with American Red Cross or American Heart Association standards are not subject to additional requirements, except recertification, in order to use the defibrillator.

### **2002 ACTS**

None.

### **2003 ACTS**

### ***Workplace Health***

[PA 03-45](#) tightened restrictions on smoking in workplaces (including fire stations) and buildings open to the public. It bans smoking in any business facility in which five or more employees

work, except in a designated smoking room. A smoking room is only for employees.

### ***Leave to Respond to Emergency Calls***

[PA 03-249](#) entitled state employees who are active volunteer firefighters to receive full pay for any regular work hours spent responding to a fire or ambulance call without employer permission if they respond before reporting to work. It specified that an employee can leave work to respond to a call if his or her employer has authorized him or her to do so. Prior law did not distinguish between responding before work and leaving work, but it allowed an employee to respond to fires and calls during regular work hours with employer permission.

The act also prohibited the loss of vacation time, sick leave, or accumulated overtime if the employee meets the criteria for leaving work for a call or for responding before arriving at work. Under prior law, the loss of vacation time, sick leave, or accumulated overtime was barred only if the employee received permission from the employer to respond on work time.

## ***Health Insurance***

[PA 03-254](#) authorized municipalities to allow active volunteer firefighters to enroll in a municipality's group health insurance plan if they agree to pay 100% of the premium and any additional costs.

## ***Discriminatory Practice***

[PA 03-259](#) prohibited employers from firing or discriminating against volunteer firefighters who were late to, or absent from, work because they were responding to a fire or ambulance call (effective upon passage).

## **2004 ACTS**

### ***Video Incident Responder System***

[PA 04-143](#) required DOT annually to allocate any amount of federal funds transferred to the Section 402 highway safety grant program under the federally mandated open container law "penalty transfer" for hazard elimination activities and earmarked \$200,000 of any such amount for FY 04-05 for a video incident responder system for I-95 to help coordinate emergency responses to highway incidents (effective July 1, 2004).

### ***Demolition Permit***

[PA 04-150](#) exempted from demolition permit registration requirements anyone burning a building or structure as part of an organized fire department training exercise.

## ***Firefighter Training***

[PA 04-186](#) required the Department of Correction to convey approximately 10 acres of property in Cheshire to the Area Waterbury Fire Chiefs Association for firefighting education and training (effective on passage).

## ***Use of Flashing Lights on Vehicles***

Previously, flashing or revolving white lights could be displayed on motor vehicles of paid or volunteer fire chiefs and their first and second deputies or first and second assistants, if there were no deputies. [PA 04-161](#) instead allowed up to a total of four paid chiefs, deputies, and assistants and four volunteer chiefs, deputies, and assistants per municipality to display such lights. It also allowed the flashing or revolving white lights to be displayed in combination with flashing or revolving red lights.

## ***Witness Fee***

[PA 04-232](#) increased, from \$40 to \$100, witness fees for firefighters, including volunteers, in:

1. criminal proceedings before the Superior Court or proceedings before the Department of Consumer Protection, if their employer does not compensate them for time spent in court;
2. civil proceedings on any vacation or compensatory day, even if their employer compensates them for the day; and

3. civil proceedings on other days, if their employer does not compensate them.

## **2005 ACTS**

### ***Driving Restrictions***

[PA 05-54](#) exempted 16- or 17-year old licensees from certain passenger and hour restrictions while carrying out their duties as active members of a volunteer fire company or department.

### ***Using Cell Phone While Driving***

[PA 05-159](#) allowed drivers at least age 18 to use a hand-held cell phone while driving if he or she is a firefighter or driver of an authorized emergency vehicle (such as a fire department vehicle) performing official duties within the scope of his or her employment.

### ***Commemorative Road Names***

[PA 05-210](#) designated the road to the Firemen Memorial at Bradley International Airport as "Firefighter Memorial Drive" (effective upon passage).

### ***Flashing Lights on Firefighter Vehicles***

Previously, flashing or revolving white lights could be displayed on the motor vehicles of up to four paid fire chiefs and their deputies and assistants and up to four volunteer fire chiefs and their deputies and assistants per municipality. [PA 05-218](#) authorized up to five paid and five volunteer fire chiefs, deputies, and assistants per fire department (effective upon passage).

### ***Payment for Participating in Homeland Security Drills***

[PA 05-265](#) required the Department of Emergency Management and Homeland Security to compensate employed members of volunteer organizations, including volunteer fire companies, who participate in any of the organizations' department-authorized homeland security drills lasting more than 24 consecutive hours. The compensation rate must be the same as they would get in their public- or private-sector jobs, less any employer compensation they receive for the drill. Volunteers who die or are disabled or injured in the course of any such drill must get the same workers' compensation benefits that they would have received in the course of their employment in the public or private sector.

### ***Payment for Volunteer Fire Company Services***

[PA 05-3](#), **June Special Session**, required the state fire administrator, within available funds, to administer a supplemental grant award remittance program to support volunteer fire companies that provide emergency response services on any limited access highway, the section of the Berlin Turnpike from Meriden to Wethersfield, or the section of Route 8 within the Naugatuck State Forest. The fire companies may get direct payment of grant funds or may use the funds as credits for fee-based services the Commission on Fire Prevention and

Control provides. They must use credits in the fiscal year in which they get them (effective July 1, 2005).

## **2006 ACTS**

### ***Model Guidelines for Volunteer Emergency Personnel***

[PA 06-22](#) required the state fire administrator to develop model guidelines that municipalities with paid or emergency personnel may use to enter into agreements allowing people to serve as volunteer emergency personnel during their personal time (effective upon passage).

### ***Bicycle Operations on Highways***

[PA 06-72](#) exempted firefighters and emergency services personnel (just like police officers) from state laws and local regulations governing bicycle operations on highways. To qualify for the exemption, they must be at least age 16; complete a basic bicycle patrol course certified by the Police Officers Standards and Training Council, or an equivalent course; and wear a distinctive uniform and use an audible signal, such as a siren, whistle, or bell.

## **2007 ACTS**

### ***Mutual Aid Compacts***

[PA 07-56](#) established the Intrastate Mutual Aid Compact as a legal statewide mechanism for participating towns to request and provide mutual aid during a declared local civil preparedness emergency. Responding personnel, including firefighters, providing aid

during such emergencies have the same rights, duties, privileges, and immunities as they have in their own towns.

### ***School Security***

[PA 07-208](#) required colleges, universities, and private occupational schools to develop and annually submit emergency response plans to the public safety and emergency management and homeland security commissioners and local first-responders. It required the institutions to consult local first-responders in developing the plans (effective July 1, 2007).

### ***Firefighter Training***

[PA 07-4](#), **June Special Session**, specifically allowed money in the state fire school training and education extension account to be used to reimburse municipalities and municipal fire departments for one-half the cost of Firefighter I certification and recruit training for paid and volunteer municipal fire service personnel (effective July 1, 2007).

## **2008 ACTS**

### ***Volunteer Firefighters***

### ***Highway Work Zones***

[PA 08-114](#) created two new offenses that apply when a driver commits certain acts in a highway work zone: (1) endangerment of a highway worker, including firefighters, and (2) aggravated endangerment of a highway worker.

[PA 08-131](#) allowed municipalities with paid emergency personnel and municipalities with volunteer emergency personnel to enter into agreements authorizing paid personnel to serve during personal time as active members of a volunteer fire department in the municipality where they live. The act prohibited municipalities from entering into any contract prohibiting paid firefighters or paid emergency personnel from serving as active members of a volunteer fire department, during personal time, in the municipality where they live (effective upon passage).

## **2009 ACTS**

### ***Exposure to Infectious Diseases***

[PA 09-76](#) required a hospital to timely notify an emergency service organization (ESO), including firefighters, when a patient the ESO attended, treated, assisted, handled, or transported to the hospital is diagnosed with infectious pulmonary tuberculosis.

### ***Liability for Installing Smoke and Carbon Monoxide Detectors***

[PA 09-78](#) exempted fire departments from liability for civil damages for personal injury, wrongful death, property damage, or other loss when they deliver or install smoke or carbon monoxide detectors or batteries for these devices at residential premises. The devices must be (1) new, (2) in compliance with all applicable current safety and manufacturing

standards, (3) installed in accordance with the manufacturer's instructions, and (4) installed or delivered in the department's official capacity.

## **2010 ACTS**

### ***Workers' Compensation for Firefighters***

[PA 10-37](#) made a volunteer or paid municipal firefighter eligible for workers' compensation benefits for certain diseases arising out of or in the course of his or her employment. These include hepatitis, tuberculosis, and certain forms of cancer. As with all workers' compensation claims, the disease must cause death or temporary or permanent total or partial disability in order for the person to be eligible for benefits. (Because the workers' compensation law already covered any disabling injury or illness that arises out of and in the course of employment, the legal effect of this act was unclear.)

## **2011 ACTS**

### ***Releasing Photographs to Third-Parties***

[PA 11-47](#) made it a crime for emergency responders, including firefighters, when responding to a request to provide someone with medical or other assistance, to knowingly (1) take that person's photograph or digital image or (2) make such an image available to a third person. The act does not apply if the (1) responders take the actions in the performance of their duties or (2)



person being assisted or immediate relative consents. The penalty for a violation is up to one year in prison, up to a \$2,000 fine, or both.

### ***Withdrawal of Water from Wetlands***

[PA 11-184](#) allowed a municipal fire department to install a dry hydrant in an inland wetland or watercourse if (1) the dry hydrant will be used for firefighting purposes only; (2) there is no available alternative access to a public water supply; and (3) the installation will not disturb the natural or indigenous character of the wetland or watercourse by removing or depositing material, altering or obstructing water flow, or polluting.

### ***Workers' Compensation Claim Process***

[PA 11-251](#) (§§ 138 and 139) streamlined the process for processing workers' compensation claims involving firefighters (effective July 1, 2011).

### ***Freedom of Information and Secret Ballots***

[PA 11-220](#) exempts secret ballots used for volunteer fire department elections from FOIA disclosure.

## **2012 ACTS**

### ***Workers' Compensation***

[PA 12-126](#) extends workers' compensation coverage for mental or emotional impairment to volunteer or paid uniformed municipal firefighters

diagnosed with post-traumatic stress disorder (PTSD) originating from witnessing another firefighter's death while engaged in the line of duty. A licensed and board certified mental health professional must determine the PTSD stems from witnessing the death and is not subject to any other exclusion under workers' compensation law (effective upon passage and applicable to any claim filed on or after that date).

## **2013 ACTS**

### ***Boot Drives***

[PA 13-93](#) required the Office of the State Traffic Administration (formerly the State Traffic Commission), when asked by a municipality's traffic authority, to issue special event permits allowing the municipality's fire department members to collect donations for charity on a state highway, other than a limited access highway. The permits for these charitable fundraisers (also known as boot drives) are valid for one day only.

The act limited the (1) location of boot drives to intersections controlled by a traffic control signal or stop sign where the posted speed limit is 30 miles per hour or less and (2) number of permits issued to an authority to two per year for any fire company.

### ***Fire Station Work Zones***

[PA 13-200](#) allowed municipalities to designate fire station work zones and doubled the basic fines for speeding or

committing certain other traffic violations in any such conspicuously designated zone where a uniformed firefighter is directing traffic. The municipality may designate a fire station work zone by posting a sign at the (1) beginning of the zone that reads: "FIRE STATION WORK AHEAD FINES DOUBLED" and (2) end of the zone that reads: "END FIRE STATION WORK."

### ***Interfering with Firefighter***

[PA 13-300](#) increased the penalty for interfering with an officer from a class A misdemeanor to a class D felony when the interference causes another person's death or serious physical injury. By law, such interference consists of obstructing, resisting, hindering, or endangering a firefighter, revenue services special police officer, motor vehicle inspector, or peace officer doing his or her job.

## **2014 ACTS**

### ***First Responder Day***

[PA 14-25](#) requires the governor to proclaim September 27 of each year as

First Responder Day in recognition of first responders' service, sacrifice, and contribution to public health and safety. It requires suitable exercises to be held in the State Capitol and other locations the governor designates (effective upon passage).

### ***Emergency Vehicle Operation***

By law, all vehicles, including emergency vehicles, must stop for a school bus displaying flashing red signal lights on a highway or private road, in a parking area, or on school property. The operator must stop at least 10 feet in front of the bus when approaching and at least 10 feet behind the bus when overtaking or following it, except at a traffic officer's direction.

[PA 14-221](#) allows an emergency vehicle operator, after stopping, to proceed past the school bus as long as he or she does not endanger life or property in doing so. By law, the vehicle must use an audible warning signal, such as a siren, and display flashing or revolving lights, as it must for other motor vehicle law exemptions.

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